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| 09/936,220 | 09/10/2001 | Laurence J Booton | 36-1478 | 2445 |

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| EXAMINER |
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AL AUBAIDI, RASHA S

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| ART UNIT | PAPER NUMBER |
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2642

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/936,220

Applicant(s)

BOOTON ET AL.

Examiner

Rasha S. AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's preliminary amendment filed September 16, 2005 has been entered. Claims 1-10 have been amended. No claims have been canceled. No claims have been added. Claims 1-10 are still pending in this application, with claims 1 and 7 being independent.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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3. Claims 1-5 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Staples et al (US PAT # 5, 889, 845) in view of Gruchala et al (US PAT # 6,252,953).

Regarding claims 1 and 7, Staples discloses a “telecommuting” system and teaches a method of operating a switching system to make a call (see col. 3, lines 25-28), the method comprising the steps of: responding to a request for the making of a call by obtaining an actual calling party identity (caller ID or the like as discussed in col. 20, lines 33-51); sending a setup signaling message for establishing a call to the called party, the setup signaling message having a calling line identity field, (this is an inherent feature which basically reads on a generic and conventional caller ID field).

Although Staples teaches that “a co-worker or external party who telephones the user at the corporate office, or sends email or a fax to the user at the corporate office, is unaware that the user is actually not physically located at the corporate office, but rather is at a remote location”. Staple does not specifically teach or suggest translating the obtained actual calling party identity (e.g., caller ID) to obtain a corresponding simulated consistent calling line identity permanently associated with the calling party.

However, Gruchala teaches in a system and method for providing work-at-home telecommunication modifying the calling party identification number to an identification number of a group associated with the calling party (see col. 2, lines 4-22 and col. 4,

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lines 13-30). That is, when an employee working at home (telecommuting) makes an outgoing telephone call, the actual caller ID information (his/her home phone number) will be modified to the company's caller ID information. The claimed feature of "containing the obtained corresponding simulated consistent calling identity..." basically reads on the remote user establishing a session with the simulated identity. As already discussed in Gruchala actual users identities and telephone numbers are already recorded in a table with the matching modified identities and telephone numbers (see col. 6, lines 4-25).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of translating/modifying the actual number (e.g., home) to reflect the office telephone number, as taught by Gruchala, into the Staples system in order to honor the privacy of the actual number (e.g., home) of the calling party (e.g., telecommuter) by changing the actual number caller ID to the business/office number caller ID (e.g., extension number). Obviously, employees would like to keep their home phone number private and unpublished.

Claims 2 and 8 are rejected for the same reasons as discussed above with respect to claims 1 and 7, respectively. The claimed feature of "detecting the actual calling line identity of a line which has changed to off-hook status" basically reads on Staples remote user obtaining virtual presence at the corporate office (PBX) to perform activities as if he/she was physically present in the office. Thus, by going off-hook the

actual identity of the remote user will be detected once the user had logged in the virtual presence server at the corporate office (see col. 2, lines 38-43 and col. 20, lines 13-16).

Regarding claims 3 and 9, Staples teaches the remote user uses a computer system 102, which includes a user telephony communication device 104 (see col. 6, lines 12-14). In addition, Staples teaches authenticating the user to the virtual presence server by having the user entering a password (see col. 19, lines 36-42) and validating this user by verifying the entered information (see col. 41-51). Also, the claimed "step of obtaining an actual calling party identity comprises the substeps of detecting the identity of a computer from which a make call request has been sent to the CTI controller and translating the detected computer identity to obtain a corresponding actual calling party identity for a user currently recorded as being logged on at that computer to the CTI controller" basically reads on the user logging in from the remote computer system 102 and receiving other types of information identification (e.g., IP address) , see col. 20, lines 30-40 and col. 2, lines 55-60.

Regarding claims 4 and 10, the claimed "signaling information" basically reads on the caller ID information (see col. 20, lines 33-51).

Claim 5 reads on establishing the call by connecting the calling party and the called party, which is inherent in Staples.

Claim Rejections - 35 USC § 103

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Staples et al in view of Gruchala et al and further in view of Kahn et al (US PAT # 4, 086, 438).

The features of Staples and Gruchala are already addressed in the above rejection.

Regarding claim 6, neither Staples nor Gruchala alone or in combination teach the limitation "clearing down incoming call, making a call to the calling party based on the calling line identity of that incoming call".

However, Kahn teaches the feature of "call-back/local", simply when an out of town caller (long distance location) trying to contact a local line he/she access the system 30 by dialing the local line telephone number (e.g., called party) with the area code. Once the local line telephone number is dialed, the system 30 will answer the call and the caller has to dial 3 digits security codes (e.g., authentication). Then a dial tone will be provided to the caller in order for him/her to enter the number of the telephone from which he/she is calling. After the caller dials his/her number, he/she may hangs up the phone. System 30 will call the caller back and connect the called party with the caller (see col. 40, lines 57-68 and col. 41, lines 1-9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of providing a callback service by a system to an identified caller at a long distance location and who is trying to reach a local number, as taught by Kahn, into the combination of Staples and Gruchala in order to allow the caller to make repeated calls to his/her home office area for the minimum cost. That is, having the system (e.g., office) calling the caller back each time the caller makes a call is definitely more economical and cheaper.

Response to Arguments

5. Applicant's arguments filed 09/16/2005 have been fully considered but they are not persuasive.

On page 9 of the remarks, Applicant argues "Gruchala is itself similarly deficient in that it also fails to provide the calling party with a simulated consistent calling line identity permanently associated with the calling party". Examiner respectfully disagrees with applicant argument. The reference (Gruchala) does not specifically teach that the stimulated (modified) consistent calling line identity is temporary. Also, the reference does not teach that the stimulated (modified) consistent calling line identity is permanently neither. Thus, it is not logical to be under the assumption that the reference fails to teach the stimulated consistent calling line identity is permanent. Also, there is no part in Gruchala states clearly that the modified identity are assigned to the user for short period of time.

Applicant also argues "Gruchala et al. refer to an individual party's calling line identity being modified to the calling line identity of a group. This would means that a called party would not be able to respond to the calling party's identity directly..." in Gruchala it is true that the calling party identity will be modified to the identification number of the group (see col. 4, lines 13-15). However, the SCP stores the translated private virtual network number and the modified calling party number to the use. Thus, a called party will be calling the modified identity number for the calling party. However, called party will be contacted directly to the actual translated number for the calling party. It is not logical to call the entire group in order to reach one person in that group. Again examiner could not find any part in Gruchala that teaches not being able to contact the calling party directly.

Examiner believes that all other argument are already addressed in the above rejection.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Rasha S. Al-Aubaidi
Art Unit 2642
11/28/2005


BENNY TIEU
PRIMARY EXAMINER